

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARLTON BROWN,

Plaintiff,

v.

Case No. 18-13633

Honorable Victoria A. Roberts

J. THOMAS, et al.,

Defendants.

ORDER GRANTING APPLICATION TO PROCEED *IN FORMA*
***PAUPERIS* AND *SUA SPONTE* DISMISSING THE COMPLAINT**

On November 20, 2018, Plaintiff Carlton Brown ("Plaintiff") filed a *pro se* complaint against: (1) four police officers; (2) the Michigan Department of State; (3) the Michigan Secretary of State; (4) the 36th and 46th District Courts in Detroit; (5) the Detroit Police Department and Southfield Police Department; and (6) ABA Police Impound. Plaintiff also filed an application to proceed *in forma pauperis*.

Plaintiff's application to proceed *in forma pauperis* is **GRANTED**. However, the Court **DISMISSES** Plaintiff's complaint; it is frivolous and fails to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B).

When a plaintiff proceeds *in forma pauperis*, the Court has an obligation to screen the complaint and dismiss the case if it: "(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief." 28 U.S.C. § 1915(e)(2)(B). A complaint is frivolous if it lacks an arguable basis in law or in fact. See *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

Although the Court construes a *pro se* plaintiff's complaint liberally, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007), that "leniency . . . is not boundless," and "basic pleading standards" still must be satisfied. *Martin v. Overton*, 391 F.3d 710, 714 (6th Cir. 2004). Specifically, a *pro se* plaintiff's complaint still "must plead facts sufficient to show a legal wrong has been committed from which plaintiff may be granted relief." *Goodell v. Anthony*, 157 F. Supp. 2d 796, 799 (E.D. Mich. 2001).

Plaintiff alleges that on four separate dates from May to September 2018, police officers stopped him and wrote him civil infractions for no vehicle registration, no insurance, an expired license plate, and a suspended license. On three of those occasions, his car was impounded.

Plaintiff says he is "not subject to [Michigan's] licensing, vehicle registration, or forced insurance [requirements]," and that he has "the Right to ignore said state law, and proceed with impunity in the exercise of his Right." On that basis, Plaintiff alleges that Defendants violated his right to travel, and that "Defendants are guilty of Deprivation of Rights Under Color of Law, [and] Conspiracy and Extortion[] Under color of Law[]" pursuant to 42 U.S.C. § 1983 and 18 U.S.C. §§ 241, 242, and 872. Plaintiff fails to recognize that 18 U.S.C. §§ 241, 242, and 872 are criminal statutes.

Plaintiff asks the Court to "grant him Immediate Summary Judgment" and award him the following relief: (1) "monetary damages in the amount of Five Hundred Million U.S. currency"; (2) "an Order to the Department of State of Michigan, and all local government, ordering them to recognize [Plaintiff's] flesh and blood status and Moorish Nationality, and honor all natural Rights including the right to bear arms, property, land[,] etc. without licensing or registrations[] that infringe upon [his] natural Rights/Personal

Liberties”; and (3) “to order the Secretary of State of Michigan and the motor vehicle department, to produce a Travelers Plate that has the initials of the automobile owner and the last four digits of their Social Security Number, so that Officers in the future will know [who is] a traveler, and [who is] a car for hire.”

Construing the complaint liberally, the Court finds that Plaintiff’s claims lack an arguable basis in fact or law, and must be dismissed; it is frivolous and fails to state a claim on which relief may be granted.

The Court **DISMISSES** this case pursuant to 28 U.S.C. § 1915(e)(2)(B).

Moreover, the Court **CERTIFIES** that any appeal would be frivolous and would not be taken in good faith; thus, an appeal may not be taken *in forma pauperis*. See 28 U.S.C. § 1915(a)(3).

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: December 13, 2018